

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1568 be amended to read as follows:

1           Page 1, between the enacting clause and line 1, begin a new  
2 paragraph and insert:

3           "SECTION 1. IC 6-1.1-10-15 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JANUARY 1, 2005 (RETROACTIVE)]:  
5 Sec. 15. (a) The acquisition and improvement of land for use by the  
6 public as an airport and the maintenance of commercial passenger  
7 aircraft is a municipal purpose regardless of whether the airport or  
8 maintenance facility is owned or operated by a municipality. The owner  
9 of any airport located in this state, who holds a valid and current public  
10 airport certificate issued by the Indiana department of transportation,  
11 may claim an exemption for only so much of the land as is reasonably  
12 necessary to and used for public airport purposes. A person maintaining  
13 commercial passenger aircraft in a county having a population of more  
14 than two hundred thousand (200,000) but less than four hundred  
15 thousand (400,000) may claim an exemption for commercial passenger  
16 aircraft not subject to the aircraft excise tax under IC 6-6-6.5 that is  
17 being assessed under this article, if it is located in the county ~~only~~ for  
18 ~~the~~ purposes of maintenance.

19           (b) The exemption provided by this section is noncumulative and  
20 applies only to property that would not otherwise be exempt. Nothing  
21 contained in this section applies to or affects any other tax exemption  
22 provided by law.

23           (c) As used in this section, "land used for public airport purposes"  
24 includes the following:

25           (1) That part of airport land used for the taking off or landing of  
26 aircraft, taxiways, runway and taxiway lighting, access roads,  
27 auto and aircraft parking areas, and all buildings providing basic  
28 facilities for the traveling public.

29           (2) Real property owned by the airport owner and used directly  
30 for airport operation and maintenance purposes.

1 (3) Real property used in providing for the shelter, storage, or  
2 care of aircraft, including hangars.

3 (4) Housing for weather and signaling equipment, navigational  
4 aids, radios, or other electronic equipment.

5 The term does not include land areas used solely for purposes unrelated  
6 to aviation.

7 (d) As used in this section, "maintenance" means maintenance  
8 (as defined in 14 CFR 1.1) or preventive maintenance (as defined  
9 in 14 CFR 1.1). The term includes scheduled inspections  
10 undertaken to determine whether maintenance (as defined in 14  
11 CFR 1.1) or preventive maintenance (as defined in 14 CFR 1.1) is  
12 needed or desirable."

13 Page 5, after line 25, begin a new paragraph and insert:

14 "SECTION 4. [EFFECTIVE JANUARY 1, 2005  
15 (RETROACTIVE)] IC 6-1.1-10-15, as amended by this act, applies  
16 only to assessments of property made after December 31, 2004. The  
17 amendment of IC 6-1.1-10-15 by this act shall not be construed to  
18 disallow any exemption granted before January 1, 2005.

19 SECTION 5. An emergency is declared for this act."

20 Renumber all SECTIONS consecutively.

(Reference is to HB 1568 as printed February 22, 2005.)

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Representative DVORAK